

Remarks

Specific To The Examiner's Comments

Examiner's Comment - Claims 1, 3-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Response - The claims have been substantially reworked to comply with this and other comments by the examiner. The applicant believes that all claims now particularly point out and distinctly claim the subject matter of the invention.

Examiner's Comment - Claim 1, line 2 "of the variety" should be canceled.

Response - In order to comply with other comments of the examiner, claim 1 has been canceled entirely. None of the current claims contain "of the variety" or any such similar phrase.

Examiner's Comment - The "means-plus-function" clauses recited in the claims directed to "override means" of claim 1, line 6 and "pressure sensitive activation means" of claim 1, lines 6-7 should be clarified to include the function of each "means" immediately after the term "means" in order to complete the claims language and to meet the exacting requirements of 35USC112.

Response - In order to comply with other comments of the examiner, claim 1 has been canceled entirely. In all current claims, any use of the term "means" is immediately followed by the function corresponding to that specific "means". Furthermore, to add specificity, the use of "override means" has been eliminated from all claims and the specific element (an "arm") has been used instead.

Examiner's Comment - Also, claim 1 should be amended to clarify the "three different pressure levels" of claim 1, line 13+.

Response - In order to comply with other comments of the examiner, claim 1 has been canceled entirely. All current claims referring to different pressure levels further clarify the meanings of these pressure levels.

Examiner's Comment - Also, claim 1 should be amended to structurally define in the claims the elements recited on page 2, the second full paragraph of the detailed description. Importantly the elements should be correlated with each other to set forth an operative device. An important feature that appears to be critical is the situation involving the belayer panicking with the lever (claim 1 should recite the "lever") being grabbed harder, which would be harmful if not disastrous in the absence of the instant disclosed invention.

Response - Claim 1 has been canceled entirely and replaced with two independent claims (6 and 7). Dependent claim 3 has been cancelled since its important elements have now been included in independent claims 6 and 7. Since the invention is claiming only an improved override mechanism, rather than a full auto-locking belay device, the applicant has recited only those elements of an auto-locking belay device that must interact with the subject invention. The applicant believes that all elements of the subject invention have been recited and correlated to set forth an operative override mechanism. The term "override means" has been eliminated and replaced by the specific element "arm" (the object that the examiner references as a "lever"). Claims 6 and 7 are each narrower in scope and provide greater structure relative to former claim 1. Claim 6 covers the type of device presented as the first embodiment, a device that acts on inhibiting (or not) movement of the "arm". Claim 7 covers the type of device presented as the second embodiment, a device with a connection between the arm and the locking surface that can

be engaged (or not). Claims 4 and 5 are dependent on claims 6 and 7, respectively, and recite the exact embodiments presented. Even when considered together, claims 6 and 7 are narrower in scope than former claim 1. For example, former claim 1 would have covered a device utilizing a button, the depression of which would move a rod into the rotation path of the locking surface. Such a "button activated" override function is nowhere covered in the now current claims.

General

The applicant believes that the amendments have complied with the examiner's requests by providing claims that have greater structure and are narrower in scope.